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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
| 08/889,398 | 07/08/97 | EDWARDS | J |

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| EXAMINER |
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GILMAN, A

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| ART UNIT | PAPER NUMBER |
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2833

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DATE MAILED: 02/04/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/889,398

Applicant(s)
Edwards

Examiner
Alexander Gilman

Group Art Unit
2833



☒ Responsive to communication(s) filed on Aug 25, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-18 is/are pending in the application.

Of the above, claim(s) 3, 5, 7, 8, 10, 12, and 14-18 is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1, 2, 4, 6, 9, 11, and 13 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Braxton et al.

Braxton et al. disclose an electrical connection apparatus (Fig. 2) for automotive type batteries, comprising:

a/ an electrical cable having one end (26) that branches to form two terminal connection ends; and

b/ terminal connection means (18) located at each of said two terminal connection ends.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2 and 9, are rejected under 35 U.S.C. 103(a) as being unpatentable over Braxton et al. in view of Benson, and further in view of Holaday.

The Braxton et al. apparatus does not utilize terminal in form of C-shaped clamp wherein a bolt element usually is used. Benson (Fig. 1) teaches a C-shaped clamp having a bolt (20).

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the C-shaped clamp as one of the terminal connection means in the Braxton et al apparatus, as taught by Benson, to use the apparatus with batteries having top and side terminals. With regard to claims 2 and 9, Braxton et al when modified by Benson (which is necessary to use a claimed bolt) disclose all of the limitations except for a bolt element having;

a/ a cylindrical screw threaded portion, the central axis of said cylindrical screw defining a first axis;

b/ an expanded head portion provided with at least one cylindrical perforation

Holaday teaches a bolt element (Fig. 3), having:

a cylindrical screw threaded portion, the central axis of said cylindrical screw defining a first axis;

an expanded head portion (2) provided with at least one cylindrical perforation (7).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the Braxton apparatus modified by Benson with the bolt element comprising the cylindrical screw threaded portion and the expanded head portion, as taught by Holaday, to use it in the bolt element with a C-shaped clamp.

5. Claim 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Braxton et al. in view of Benson and Holaday as applied to claim 2 above, and further in view of Mollberg.

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Braxton et al when modified by Benson and Holaday disclose all of the limitations except the expanded head portion is flat, said flat expanded head portion lying in and defining a first plane, and the first axis lies in said first plane.

Mollberg teaches (Fig. 3) the expanded head portion (2) is flat and said flat expanded head portion lying in and defining a first plane, and the first axis lies in said first plane.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the Holaday's bolt element with the flat extended head portion, as taught by Mollberg, to simplify manufacturing the bolt element.

6. Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Braxton et al. in view of Benson, and further in view of Holaday, as applied to claim 2 above.

Braxton et al. when modified by Benson and Holaday disclose all of the limitations.

Particularly, Benson (Fig. 1) disclose an electrical connection apparatus wherein one of the terminal connection means is comprised of a C-shaped clamp (10), which shape defines two ends, each of said two ends (11, 12) having tabs (15, 18) extending therefrom, one of said tabs (15) having a blank perforation and the other said tab (18) having a screw threaded portion such that the screw threaded portion (22) can first be inserted through the blank perforation, then threaded through the screw threaded perforations, and so serve to draw said tabs together, tightening said C-shaped clamp.

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claim 2, 4, 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 2 and 9, the phrase "cylindrical perforation being perpendicular to and intersecting the first axis" is unclear.

9. Claims 3, 5, 7, 8, 10, 12, 14-18 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected species, the requirement having been traversed in Paper No. 4. It is accepted that claim 1 is generic one.

Claims 14 and 15 are not considered as being dependent from non-elected claims 10 and 12.

10. New formal drawings are required in this application because the drawings submitted are objected by Draftperson under 37 CFR 1.84. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the Patent and Trademark Office no longer prepares new drawings.

11. Any inquiry concerning this communication should be directed to Alexander Gilman at telephone number (703) 305-0847.



Gary Paumen
Primary Examiner